

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
MOSHE KALTER AND FRADY KALTER

Docket No.: 09-CV-5450(FB)(RER)

Plaintiff,

**AUTOMATIC DISCLOSURES
PURSUANT TO RULE 26(a)(1)**

-against-

FIREMAN'S FUND INSURANCE COMPANY
Defendant.
----- X

Plaintiffs Moshe Kalter and Frady Kalter make the following Rule 26(a)(1) initial disclosures:

**RULE 26(a)(1)A - NAMES OF INDIVIDUALS LIKELY TO
HAVE DISCOVERABLE INFORMATION**

1. Moshe Kalter
1558 55th Street
Brooklyn, New York 11219

Plaintiffs reserve the right to supplement this response as necessary.

RULE 26(a)(1)B – DESCRIPTION OF DOCUMENTS

2. Plaintiffs currently have the following categories of documents in their possession, located in plaintiffs' counsel's office:

- a. Insurance Policy with Defendant.
- b. Correspondence with Defendant.

- c. Estimates to Repair the Damage.
- d. Invoices for the Cost of the Damaged Items.

Plaintiffs reserve the right to supplement this response as necessary.

RULE 26(a)(1)C – COMPUTATION OF CATEGORIES OF PLAINTIFFS' DAMAGES

3. Plaintiffs are alleging damages in excess of \$380,259.00 based on initial estimates to repair the damage to plaintiffs' kitchen cabinets, kitchen floor tiles, and the basement ceiling, including, but not limited to, necessary electrical and plumbing work, removal and reinstallation of kitchen fixtures, cabinetry and countertops, and removal and reinstallation of the kitchen floor tiles. Plaintiffs reserve the right to supplement this response as necessary.

Dated: New York, New York
January 15, 2010

STEIN FARKAS & SCHWARTZ LLP

By: 
Jeffrey M. Schwartz

16 East 34th Street, 16th Floor
New York, New York 10016

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MOSHE KALTER AND FRADY KALTER

Plaintiffs,

AFFIRMATION OF SERVICE

-against-

DOCKETNo.:09-CV-5450(FB)(RER)

FIREMAN'S FUND INSURANCE COMPANY

Defendant.

-----X

The undersigned attorney duly admitted to practice in the courts of the State of New York, affirms the following to be true pursuant to CPLR 2106, under the penalties of perjury:

1. That she is associated with STEIN FARKAS & SCHWARTZ LLP, attorneys for the plaintiffs MOSHE KALTER AND FRADY KALTER.

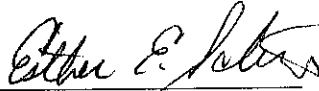
2. That on the 15th day of January, 2010, your affirmant served the within
AUTOMATIC DISCLOSURES PURSUANT TO RULE 26(a)(1)

upon:

David Ross, Robinson & Cole LLP
885 Third Avenue, Suite 2800
New York, New

the address(es) designated by said attorneys for that purpose by depositing a true copy of same to each attorney, by regular mail enclosed in a post paid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: New York, New York
January 15, 2010



Esther E. Schwartz

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Index No. 09-CV-5450(FB)(RER)

MOSHE KALTER AND FRADY KALTER

Plaintiff,

-against-

FIREMAN'S FUND INSURANCE COMPANY

Defendants

AUTOMATIC DISCLOSURES PURSUANT TO RULE 26(a)(1)

STEIN FARKAS & SCHWARTZ LLP

Attorneys for Plaintiff

Office Address & Tel. No.:

16 East 34th Street, 16th Floor

New York, New York 10016

(212) 385-0503

Date: January 15, 2010

To:

Signature (Rule 130.1.1-a)



Jeffrey M. Schwartz

PLEASE TAKE NOTICE

☐ that the within is a (certified) true copy of a
Notice of Entry entered in the office of the clerk of the within named Court on 2010